

REMARKS

As discussed via telephone with Examiner Wellington and separately with Examiner Renner, this is the third restriction requirement in this application and the Examiner has required restriction among claims that have been previously substantively examined, amended, and argued. As such, Applicant disagrees with the reasons for restriction as cited by the Examiner.

In particular, Applicant respectfully disagrees with the Examiner that there would be a serious search and examination burden if restriction were not required in that the claims at issue have already been searched, substantively examined, and rejected based on prior art identified by the Examiner. As noted in MPEP 904.03, "It is normally not enough that references be selected to meet only the terms of the claims alone, especially if only broad claims are presented; but the search should, insofar as possible, also cover all subject matter which the examiner reasonably anticipates might be incorporated into applicant's amendment." Applicant's originally presented claims included a data storage system with a plurality of read/write heads and a plurality of read/write elements as well as claims directed to a read/write head assembly having a plurality of read/write heads. As such, Applicant's most recent amendment relative to the read/write head assembly to add a plurality of read/write elements operable to read and write data from or to corresponding tracks of a corresponding storage band should not require a significant search or examination burden.

For the reasons above, Applicant respectfully requests the Examiner to reconsider and withdraw the latest restriction requirement and examine all pending claims of Group I and Group II relative to Applicant's amendments and remarks in the previously filed amendment.

No additional fee is believed to be due as a result of filing this paper. However, please charge any fee to Deposit Account 02-3978.

The Examiner is requested to telephone the undersigned to discuss resolution of any issues necessary to advance substantive prosecution and place this application in condition for allowance.

Respectfully submitted,

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